

MINUTES

CASE NUMBER: 1:19-cr-00105-SOM-2

CASE NAME: USA v. *(02)Robert Beard

ATTY FOR PLA: *Michael David Nammar

ATTY FOR DEFT: *Richard H.S. Sing

JUDGE: Susan Oki Mollway

REPORTER: Debi Read

DATE: 12/17/2021

TIME: 9:20am-9:30am(m/d)

9:30am-9:45am(sent)

COURT ACTION: EP: Sentencing to Count 1 of the Indictment as to Defendant (02)Robert Beard held; and [67]Sealed Motion.

Defendant (02)Robert Beard is present and not in custody.

Court adopts the PSR and it is placed under seal and is available to counsel.

The Memorandum of Plea Agreement has been accepted by the Court.

Recommendations by counsel as to proposed sentence heard.

Allocution by the defendant.

[67]Sealed Motion- GRANTED.

Court's proposed sentence stated. No legal objections to the proposed sentence.

ADJUDGED:

Probation: 5 YEARS

Fine: \$21,000.00. Special Assessment: \$100.00. No restitution.

Conditions of Supervision:

You must abide by the mandatory and standard conditions of supervision, including the following

conditions:

Since you do not have a recent history of substance abuse and the offense is not drug-related, it is recommended that the Court waive the mandatory drug test condition: You must submit to one drug test within 15 days of the commencement of supervision and at least two drug tests thereafter but no more than eight valid drug tests per month during the term of supervision. (mandatory condition)
You must cooperate in the collection of DNA as directed by the probation officer. (mandatory condition)

You must pay the assessment imposed in accordance with 18 U.S.C. § 3013. (mandatory condition)

If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment. (mandatory condition)

You must notify the court of any material change in your economic circumstances that might affect your ability to pay fines or special assessments. (mandatory condition)

You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of the time you are sentenced, unless the probation officer instructs you to report to a different probation office or within a different time frame. (standard condition)

You must abide by the following special conditions:

1. The fine of \$21,000.00 is due within 30 days after sentencing. Any unpaid balance is to be paid during the period of probation in monthly installments of 10% of your gross monthly income, commencing 30 days after the start of probation. The court may order that this requirement be changed from time to time as your circumstances warrant, but no court order shall be required for your voluntary agreement to pay more than the court-ordered amount. Interest shall begin accruing on any remaining balance commencing 30 days after the start of probation. Payments must be made by payroll deduction, when applicable. You must notify the probation officer of any change in your financial circumstances that affect your ability to pay. Your financial circumstances must be reviewed by the probation officer on at least an annual basis.
2. You must provide the probation officer access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office.
3. You must apply all monies received from income tax refunds, lottery winnings, inheritance, judgments and any anticipated or unexpected financial gains to the outstanding

court-ordered financial obligation, at the discretion and direction of the court.

4. You must not incur new credit charges, or open additional lines of credit, or apply for any loans without the prior approval of the probation officer. You must not borrow money or take personal loans from any individual without the prior approval of the probation officer.
5. You must maintain a single personal bank account, separate and apart from your spouse, any family members or others, into which all income, financial proceeds, and gains must be deposited and from which all expenses must be paid.
6. You must provide the probation officer with access to any and all business records, financial records, client lists, and other records, pertaining to the operation of any business you own, in whole or in part, as directed by the probation officer.
7. If you are self-employed, you must employ a bookkeeper and/or accountant to manage your business records as to income and expenses, and profits and losses, on a regular basis, at the discretion and direction of the probation officer.
8. You must cooperate with the Internal Revenue Service and State of Hawaii Department of Taxation and arrange for the payment of delinquent taxes, interest and penalties, and the timely filing of tax returns and/or corrected amended tax returns.
9. You must submit your person, property, house, residence, vehicle, papers, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition. The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

Defendant advised of his right to appeal within 14 days of entry of judgment.

Submitted by: Agalelei Elkington, Courtroom Manager